

907 KAR 15:005. Definitions for 907 KAR Chapter 15.

RELATES TO: KRS 194A.025(3), 205.510(11), 205.8451, 309.080, 309.130(2), (3), 311.840(3), 314.011(5), (7), 319.053, 319.056, 319.064, 319C.010(6), (7), 335.080, 335.100, 335.300(2), (3), 335.500(3), (4), 42 C.F.R. 400.203, 438.2, 441.540, 29 U.S.C. 794

STATUTORY AUTHORITY: KRS 194A.010(1), 194A.030(2), 194A.050(1), 205.520(3), 205.6311, 42 U.S.C. 1396a

NECESSITY, FUNCTION, AND CONFORMITY: The Cabinet for Health and Family Services, Department for Medicaid Services, has responsibility to administer the Medicaid Program. KRS 205.520(3) authorizes the cabinet, by administrative regulation, to comply with a requirement that may be imposed or opportunity presented by federal law to qualify for federal Medicaid funds. This administrative regulation establishes the definitions for 907 KAR Chapter 15.

Section 1. Definitions. (1) "Adult peer support specialist" means an individual who meets the requirements for an adult peer support specialist established in 908 KAR 2:220.

(2) "Advanced practice registered nurse" or "APRN" is defined by KRS 314.011(7).

(3) "Approved behavioral health services provider" means a practitioner who is:

(a) A physician;

(b) A psychiatrist;

(c) An advanced practice registered nurse;

(d) A physician assistant;

(e) A licensed psychologist;

(f) A licensed psychological practitioner;

(g) A certified psychologist with autonomous functioning;

(h) A licensed clinical social worker;

(i) A licensed professional clinical counselor;

(j) A licensed marriage and family therapist;

(k) A licensed psychological associate working under the supervision of a board-approved licensed psychologist;

(l) A certified psychologist working under the supervision of a board-approved licensed psychologist;

(m) A marriage and family therapy associate working under the supervision of a billing supervisor;

(n) A certified social worker working under the supervision of a billing supervisor;

(o) A licensed professional counselor associate working under the supervision of a billing supervisor;

(p) A licensed professional art therapist;

(q) A licensed professional art therapist associate working under the supervision of a billing supervisor;

(r) A licensed clinical alcohol and drug counselor;

(s) A licensed clinical alcohol and drug counselor associate working under the supervision of a billing supervisor;

(t) A certified alcohol and drug counselor working under the supervision of a billing supervisor;

(u) A licensed behavior analyst; or

(v) A licensed assistant behavior analyst working under the supervision of a billing supervisor.

(4) "Behavioral health multi-specialty group" means a group of more than one (1) individual-

ly licensed behavioral health practitioners of varying practitioner types who form a business entity to:

(a) Render health services; and

(b) Bill the Medicaid Program for services rendered to Medicaid recipients.

(5) "Behavioral health practitioner under supervision" means an individual who is:

(a)1. A licensed psychological associate;

2. A licensed professional counselor associate;

3. A licensed clinical alcohol and drug counselor associate;

4. A certified social worker;

5. A marriage and family therapy associate;

6. A licensed professional art therapist associate;

7. A licensed assistant behavior analyst;

8. A certified psychologist; or

9. A certified alcohol and drug counselor; and

(b) Employed by or under contract with the same billing provider as the billing supervisor.

(6) "Behavioral health provider group" means a group of more than one (1) individually licensed behavioral health practitioners of the same practitioner type who form a business entity to:

(a) Render health services; and

(b) Bill the Medicaid Program for services rendered to Medicaid recipients.

(7) "Behavioral health services organization" means an entity that is licensed as a behavioral health services organization pursuant to 902 KAR 20:430.

(8) "Billing provider" means the individual who, group of individual providers that, or organization that:

(a) Is authorized to bill the department or a managed care organization for a service; and

(b) Is eligible to be reimbursed by the department or a managed care organization for a service.

(9) "Billing supervisor" means an individual who is:

(a)1. A physician;

2. A psychiatrist;

3. An advanced practice registered nurse;

4. A licensed clinical alcohol and drug counselor;

5. A licensed psychologist;

6. A licensed clinical social worker;

7. A licensed professional clinical counselor;

8. A licensed psychological practitioner;

9. A certified psychologist with autonomous functioning;

10. A licensed marriage and family therapist;

11. A licensed professional art therapist; or

12. A licensed behavior analyst; and

(b) Employed by or under contract with the same billing provider as the behavioral health practitioner under supervision who renders services under the supervision of the billing supervisor.

(10) "Certified alcohol and drug counselor" is defined by KRS 309.080(2).

(11) "Certified psychologist" means an individual who is a certified psychologist pursuant to KRS 319.056.

(12) "Certified psychologist with autonomous functioning" means an individual who is a certified psychologist with autonomous functioning pursuant to KRS 319.056.

(13) "Certified social worker" means an individual who meets the requirements established

in KRS 335.080.

(14) "Chemical dependency treatment center" means an entity that is licensed as a chemical dependency treatment center pursuant to 902 KAR 20:160.

(15) "Community support associate" means a paraprofessional who meets the application, training, and supervision requirements of 908 KAR 2:250.

(16) "Department" means the Department for Medicaid Services or its designee.

(17) "Electronic signature" is defined by KRS 369.102(8).

(18) "Enrollee" means a recipient who is enrolled with a managed care organization.

(19) "Face-to-face" means occurring:

(a) In person; or

(b) If authorized by 907 KAR 3:170, via a real-time, electronic communication that involves two (2) way interactive video and audio communication.

(20) "Family peer support specialist" means an individual who meets the requirements for a Kentucky family peer support specialist established in 908 KAR 2:230.

(21) "Federal financial participation" is defined by 42 C.F.R. 400.203.

(22) "Healthcare common procedure coding system" or "HCPCS" means a collection of codes acknowledged by the Centers for Medicare and Medicaid Services (CMS) that represents procedures or items.

(23) "Kentucky-specific Medicare Physician Fee Schedule" means the list of current reimbursement rates for physician services established by the department in accordance with 907 KAR 3:010, Section 3.

(24) "Level I psychiatric residential treatment facility" means an entity that is licensed as a Level I psychiatric residential treatment facility pursuant to 902 KAR 20:320.

(25) "Level II psychiatric residential treatment facility" means an entity that is licensed as a Level II psychiatric residential treatment facility pursuant to 902 KAR 20:320.

(26) "Licensed assistant behavior analyst" is defined by KRS 319C.010(7).

(27) "Licensed behavior analyst" is defined by KRS 319C.010(6).

(28) "Licensed clinical alcohol and drug counselor" is defined by KRS 309.080(4).

(29) "Licensed clinical alcohol and drug counselor associate" is defined by KRS 309.080(5).

(30) "Licensed clinical social worker" means an individual who meets the licensed clinical social worker requirements established in KRS 335.100.

(31) "Licensed marriage and family therapist" is defined by KRS 335.300(2).

(32) "Licensed professional art therapist" is defined by KRS 309.130(2).

(33) "Licensed professional art therapist associate" is defined by KRS 309.130(3).

(34) "Licensed professional clinical counselor" is defined by KRS 335.500(3).

(35) "Licensed professional counselor associate" is defined by KRS 335.500(4).

(36) "Licensed psychological associate" means an individual who meets the requirements established in KRS 319.064.

(37) "Licensed psychological practitioner" means an individual who meets the requirements established in KRS 319.053.

(38) "Licensed psychologist" means an individual who currently possesses a licensed psychologist license in accordance with KRS 319.010(6).

(39) "Managed care organization" means an entity for which the Department for Medicaid Services has contracted to serve as a managed care organization as defined by 42 C.F.R. 438.2.

(40) "Marriage and family therapy associate" is defined by KRS 335.300(3).

(41) "Medicaid-covered service" means a service covered by the department as established in Title 907 of the Kentucky Administrative Regulations.

(42) "Medically necessary" or "medical necessity" means that a covered benefit is deter-

mined to be needed in accordance with 907 KAR 3:130.

(43) "Physician" is defined by KRS 205.510(11).

(44) "Physician assistant" is defined by KRS 311.840(3).

(45) "Provider" is defined by KRS 205.8451(7).

(46) "Provider abuse" is defined by KRS 205.8451(8).

(47) "Psychiatric hospital" means an entity licensed as a psychiatric hospital pursuant to 902 KAR 20:180.

(48) "Recipient" is defined by KRS 205.8451(9).

(49) "Recipient abuse" is defined by KRS 205.8451(10).

(50) "Recipient's representative" means:

(a) For a recipient who is authorized by Kentucky law to provide written consent, an individual acting on behalf of, and with written consent from, the recipient; or

(b) A legal guardian.

(51) "Registered alcohol and drug peer support specialist" is defined by KRS 309.080(8).

(52) "Registered nurse" is defined by KRS 314.011(5).

(53) "Residential crisis stabilization unit" means an entity that is licensed as a residential crisis stabilization unit pursuant to 902 KAR 20:440.

(54) "Section 504 plan" means a plan developed:

(a) Under the auspices of Section 504 of the Rehabilitation Act of 1973, as amended, 29 U.S.C. 794 (Section 504); and

(b) To ensure that a child who has a disability identified under the law and is attending an elementary or secondary educational institution receives accommodations to ensure the child's academic success and access to the learning environment.

(55) "Youth peer support specialist" means an individual who meets the requirements established for a Kentucky youth peer support specialist established in 908 KAR 2:240. (40 Ky.R. 2064; 2564; 2778; eff. 7-7-2014; 41 Ky.R. 639; 1385; 1647; eff. 2-6-2015; 43 Ky.R. 1082; 1603; 1958; eff. 6-2-2017.)